

Comhairle Chontae Atha Cliath Theas

PR/1422/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0414 **Application Date:** 16-Sep-2022
Submission Type: New Application **Registration Date:** 16-Sep-2022
Correspondence Name and Address: John English, JEArchitecture Park House, Ballisk Court, Donabate, Co Dublin
Proposed Development: Retention planning permission for 2 storey extension to rear of existing house, a single storey garage to side of existing house with associated ancillary works.
Location: 15A Ballynakelly Cottages, Newcastle, Co. Dublin.
Applicant Name: Shane Foran
Application Type: Retention

Description of Site and Surroundings

Site Area

Stated as 0.0829 Hectares.

Site Description

The site is located within an established cul-de-sac of cottages, Ballynakelly Cottages, to the southeast of Newcastle Village. The site is comprised of a detached dormer bungalow with a 2 No. storey extension to the rear and a single storey garage affixed to the southwestern (side) elevation.

The surrounding context of the subject site includes dwellings of a similar architectural form and scale arranged along the cul-de-sac and addressing a crescent shaped green area.

Subject Development

Retention Permission is sought for development comprised of:

- A two-storey extension to the rear projecting approximately 4.8m out from the rear elevation of the existing dwelling with a width of approximately 10.2m and a hipped roof profile with an approximate ridge height of 6.03mm, matching the ridgeline of the existing roof profile.
- Associated reconfiguration of the internal layout resulting in a snug and dining room at ground floor level and study, gym, bathroom and storeroom at first floor level. The two-storey extension provides an additional 115.3 sq m gross floor area to the existing dwelling.

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- The two-storey rear extension includes fenestration in the form of 4 No. rooflights (2 No. on each pitch of the roof), 3 No. glazed patio doors at ground floor level of the rear elevation, 2 No. windows at first floor level of the rear elevation and 1 No. window at ground floor level of the side (north eastern elevation).
- A single storey lean to garage affixed to the side (south western) elevation, projecting approximately 3m out from the side of the existing dwelling and spanning an approximate length of 11.2m. The garage has an approximate floor area of 38.8 sq m, with a roller shutter door in the front elevation and double doors in the rear elevation.
- All ancillary works above and below ground.

Zoning:

The subject site is subject to zoning objective RES - 'To protect and/or improve Residential Amenity' in the South Dublin County Development Plan 2022-2028.

Overlap is indicated with the following Development Plan Map layers:

- Bird Hazards
- Inner Horizontal Surface – Casement Aerodrome

Consultations:

Drainage and Water Services Department – No report received at time of writing.

Irish Water – No report received at time of writing.

Roads Department – No objection.

SEA Sensitivity Screening

No overlap indicated with the relevant environmental layers.

Submissions/Observations /Representations

Final date for submissions/observations – 20th October 2022.

None received.

Relevant Planning History of the Subject Site

SD07B/0473

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Provision of a 134 sq.m two storey extension to rear and to remove hip to both sides of roof and replace with new gables and to remove dormer window to front and replace with two new dormer windows.

SDCC Decision: Refuse Permission for 2 No. reasons as follows:

1. The proposed flat roofed two storey rear extension by reason of its design, bulk and scale would be entirely out of character with the existing hipped roof dormer bungalow and would be visually obtrusive and out of character with the area. The proposed development would therefore seriously injure the amenities and depreciate the value of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.
2. The proposed development would set an undesirable precedent for other similar developments which would in themselves and cumulatively be harmful to the residential amenities of the area and be contrary to the proper planning and sustainable development of the area.

S01A/0561

Provision of a dormer bungalow.

SDCC Decision: Grant Permission, subject to conditions.

Relevant Enforcement History

None on record.

Pre-Planning Consultation

None on record.

Relevant Policy in South Dublin County Council Development Plan 2022-2028

Chapter 4 Green Infrastructure

Section 4.1 Methodology

GII Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.

Section 4.2.1 Biodiversity

GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

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Section 4.2.2 Sustainable Water Management

GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

Section 6.8.2 Residential Extensions

Policy H14: Support the extension of existing dwellings subject to the protection of residential and visual amenities.

H14 Objective 1: To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 13 Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Chapter 12 Implementation and Monitoring

Section 13.5.8 Residential Consolidation

Extensions

The design of residential extensions should have regard to the permitted pattern of development in the immediate area alongside the South Dublin County Council House Extension Guide (2010) or any superseding standards.

South Dublin County Council House Extension Design Guide (2010)

The House Extension Design Guide contains the following general guidance on house extensions and specific guidance on side extensions:

Side extensions:

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise. Where the style and materials do not seamlessly match the main house, it is best to recess a side extension by at least 50cm to mark the change.*
- *Do not include a flat roof to a prominent extension unless there is good design or an architectural reason for doing so.*

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- *Do not incorporate blank gable walls where extensions face onto public footpaths and roads.*
- *Avoid the use of prominent parapet walls to the top of side extensions.*

Rear Extensions:

- *Match the shape and slope of the roof of the existing house, although flat roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- *Make sure enough rear garden is retained.*

Elements of Good Extension Design:

- *'Respect the appearance and character of the house and local area;*
- *Provide comfortable internal space and useful outside space;*
- *Do not overlook, overshadow or have an overbearing effect on properties next door;*
- *Consider the type of extension that is appropriate and how to integrate it; and*
- *Incorporate energy efficient measures where possible'.*

Overlooking and loss of privacy

- *Provide frosted or opaque glass windows with restricted openings in bathrooms, halls, and stairways.*

Overbearing Impact

- *Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved.*
- *Use light coloured materials on elevations adjacent to neighbouring properties.*

Relevant Government Guidelines

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

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Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment and Local Government (2009).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021).

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy
- Residential and Visual Amenity
- Drainage and Water Services
- Green Infrastructure
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

The site is subject to zoning objective 'RES' – *'To protect and/or improve residential amenity'* A house extension (residential development) is permitted in principle under this zoning objective, subject to assessment against the relevant policies, objectives and standards set out in the South Dublin County Development Plan 2022-2028 and the South Dublin County Council House Extension Design Guide 2010.

Visual Impact and Residential Amenity

Each element of the subject development shall be assessed individually below, in the context of the potential impact on the residential and visual amenity of adjacent properties and the wider streetscape. The subject development has also been considered having regard to the relevant policy, including but not limited to the South Dublin County Development Plan 2022-2028 and the South Dublin County Council House Extension Design Guide (2010).

Two Storey Extension to the Rear

It is noted that the two-storey rear extension is sited approximately 3.5m from the party boundary with No. 15 Ballynakelly Cottages to the southwest and approximately 5.5m to the party boundary with No. 19 Ballynakelly Cottages to the northeast. Having regard to the orientation of the dwellings along the streetscape and the siting and separation distance of the rear extension from adjacent party boundaries, it is considered that the 2 No. storey rear extension would not result in undue overshadowing and overbearing and thus would not have an adverse impact on the visual and residential amenity of adjacent dwellings and the surrounding streetscape.

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The fenestration of the extension is considered to integrate cohesively with the existing house. Having regard to the existing boundary treatment and the orientation of adjacent dwellings, it is considered that the fenestration of the extension would not result in undue overlooking to adjacent properties and would not have a negative impact on the visual and residential amenities of the area.

Single Storey Garage Structure

Having regard to the nature and scale of the single storey garage structure and the approximate height of 2.26m, it is considered that the structure would not have a significant impact on the residential and visual amenity of adjacent properties or the surrounding streetscape.

Private Amenity Space

According to the drawings provided by the Applicant approximately 370 sq m private amenity space remains, thus the minimum private open space requirement is achieved for a house of this size as outlined in Table 3.20 of the Development Plan.

Overall, it is considered that the two-storey rear extension would not have an adverse impact on the visual and residential amenity of the subject site and adjacent properties.

Green Infrastructure

The subject site is not located within a Primary or Secondary GI Corridor as identified in the Green Infrastructure Strategy Map (Figure 4.4 of the County Development Plan 2022 – 2028).

Having regard to the nature and extent of the subject development i.e. retention of an existing domestic extension which includes a large area of private amenity grassland, it is considered that the subject development will not result in a significant loss of any grassland or permeable surfaces. In this regard, there would be little impact to the existing green infrastructure network and a limited impact in terms of additional runoff from the site.

Drainage and Water Services

The Irish Water Network map appears to indicate that the subject site is serviced by a public mains and sewer. Should permission be granted for the subject development, it is considered appropriate that standard drainage **CONDITIONS** should be attached relating to water supply, surface water and foul water drainage.

Environmental Impact Assessment

Having regard to the modest nature of the subject development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the subject development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

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Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The subject development is located within an established residential area and comprises an extension to an existing dwelling. Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the subject development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Other Considerations

Development Contributions	
Planning Reference Number	SD22B/0414
Summary of permission granted & relevant notes:	Retention Permission for a 2 No. storey extension to the rear (115.3 sq m) and a single storey garage (38.8 sq m) to the side of the existing dwelling.
Are any exemptions applicable?	No
If yes, please specify:	
Is development commercial or residential?	Residential
Standard rate applicable to development:	104.49
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€104.49
Area of Development (m2)	115.30
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	115.3
Total development contribution due	€12,047.70

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SEA Monitoring Information	
Building Use Type	Floor Area (sq.m)
Residential Extension	115.3 sq m
Lean to Garage	38.8 sq m
Total Area	154.1 sq m
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.0829 Ha

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the overall design and scale of the development it is considered that, subject to the conditions set out below, the subject development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area. It is considered that the development as constructed would be in compliance with Council policy in relation to extensions to dwellings, as outlined in the South Dublin County House Extension Design Guide (2010).

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for Retention for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.

The development shall be retained and completed fully in accordance with plans, particulars and specifications lodged with the application, save as may be required by other conditions attached hereto.

REASON: To ensure that the development is in accordance with the permission and that effective control is maintained.

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2. (a) External Finishes.

All external finishes shall harmonise in colour or texture that is complementary to the house or its context.

REASON: In the interest of visual amenity.

(b) Restriction on Use.

The house, single storey garage and 2 No. storey rear extension shall be jointly used as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, and the extension shall not be sold, let (including short-term letting), leased or otherwise transferred or conveyed, by way of sale, letting or otherwise save as part of the single dwelling unit.

REASON: To prevent unauthorised development.

(c) Drainage - Irish Water.

(i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(iii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

3. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €12,047.70 (Twelve Thousand and Forty Seven Euro and Seventy Cent), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

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NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

NOTE: The applicant/developer of these lands is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; the applicant should apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

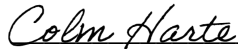
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REG. REF. SD22B/0414

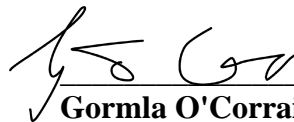
LOCATION: 15A Ballynakelly Cottages, Newcastle, Co. Dublin.



Colm Harte,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for Retention for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: 10/11/22



Gormla O'Corrain,
Senior Planner